



WP.No.10625 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 15.07.2024

CORAM:

THE HONOURABLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

W.P.No.10625 of 2024 and
WMP.No.11700 of 2024

D.Malarkodi

... Petitioner

Vs.

- 1.The State of Tamilnadu,
Rep. By its Principal Secretary to Government,
Higher Education Department,
Fort St.George,
Chennai 600 009
- 2.Teachers Recruitment Board,
Rep. By its Member Secretary,
3rd and 4th Floor, Puratchi Thalaivar
Dr.MGR Centenary Building,
DPI Campus, College Road,
Chennai 600 006
- 3.The Commissioner of Technical Education,
Directorate of Technical Education,
No.53, Sardar Patel Road,
Anna University,
Guindy, Chennai 600 025
- 4.A.Kandasamy
- 5.R.Rajakumbesh
- 6.G.B.Vijayalakshmi

... Respondents

PRAYER: Writ Petition is filed under Article 226 of Constitution of India praying to issue a Writ of Mandamus directing the 2nd Respondent



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to include the names of Respondents 4 to 6 among the non-joined candidates for the post of 09.09.2021 and consequently direct the 2nd Respondent to select the Petitioner for the post of PG Assistant in Chemistry to enable the 3rd respondent to issue appointment order to the Petitioner as PG Assistant in Chemistry pursuant to Notification No.01/2021 dated 09.09.2021 against the 3 vacancies relating to Respondents 4 to 6 who joined the post of Lecturers in Government Polytechnic Colleges pursuant to Notification No.14/2019 dated 27.11.2019.

For Petitioner : Mrs.Nalini Chidambaram,
Senior Counsel
for M/s.C.Uma

For Respondents
For R1 & 3 : Mr.C.Jayaprakash,
Government Advocate

For R2 : Mr.R.Neelakandan,
Additional Advocate General
Assisted by
Mr.C.Kathiravan,
Standing Counsel

ORDER

This writ petition has been filed for direction to the second respondent to include the name of the petitioner in the place of



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respondents 4 to 6 herein who did not join as per the selection to the post of PG Assistant(Chemistry).

2. As per the notification No.1 of 2021, applications were invited to fill up the post of PG Assistant in various subjects. The petitioner had applied for the post of PG Assistant in Chemistry. The petitioner scored 96 marks. The petitioner is coming under BC category. The last candidate who scored under the BC category is 97 and it is the cut off mark. However, respondents 4 to 6 after having been selected to the post of PG Assistant (Chemistry), they did not join in the posts and the posts fell vacant. Therefore, the petitioner submitted representation to accommodate the petitioner in the place of respondents 4 to 6 herein in the post of PG Assistant (Chemistry) since the petitioner scored 96 marks.

3. In view of the above facts and circumstances of the case, respondents 1 to 3 are directed to consider the case of the petitioner if the petitioner is coming under the zone of consideration and if respondents 4



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to 6 did not join in their respective selected posts as PG Assistant (Chemistry), on merits and in accordance with law.

4. With the above direction, this writ petition is disposed of. Consequently, connected miscellaneous petition is closed. There shall be no order as to costs.

15.07.2024

Neutral citation: Yes/No
Index: Yes/No
Speaking/Non-speaking order
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To

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G.K.ILANTHIRAIYAN, J.

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